

9 DEATHS, NO CHARGES RAISE QUESTIONS ABOUT OVERSIGHT AGENCY

MINEOLA, NEW YORK: Little more than names and incident numbers appear on a Long Island medical examiner's list of nine developmentally disabled people who died in state care since 2013, but this much is known for sure: All the deaths came under a cloud of abuse or neglect allegations, and none resulted in criminal charges.

The one-page list titled "Abuse and Neglect with Death Involved" surfaced as part of a Freedom of Information request by an advocate who called it only the latest example of how New York's oversight agency for the disabled in state care, the Justice Center, is not doing enough to pursue suspicious cases.

Questioned by The Associated Press about the handling of the deaths, all in Long Island's Suffolk County, state and local officials responded with conflicting accounts. The Justice Center says it told county prosecutors about the cases, in accordance with state law, but prosecutors say that's not true. The medical examiner's office says it referred two cases to police for further investigation. After police denied for days that they got them, they acknowledged this week that they did.

"It screams for a federal civil rights and criminal investigation," said Michael Carey, who became an advocate for the disabled after his son was suffocated in 2007 by a state group home worker who was later convicted of manslaughter.

Carey has become a frequent critic of the Justice Center, established in 2013 to protect the 1 million disabled, addicted and mentally ill in state care. Its mandate is to probe all allegations of wrongdoing by caretakers, with the power to refer cases to local prosecutors or bring criminal charges itself.

But an AP analysis last year found it rarely uses that power, with just 2.5 percent of the more than 7,000 substantiated cases of abuse or neglect resulting in criminal charges. Records released earlier this year showed the Justice Center declined to investigate most of the nearly 1,400 deaths of developmentally disabled people in state care in the past two years, leaving the majority of the investigations to the caretaker facilities themselves.

Seeking to find out exactly how often the Justice Center refers deaths in state care to local officials for criminal investigation, Carey filed a sweeping public records request of every county prosecutor and medical examiner in New York.

Suffolk County was the only one of 62 counties to offer up-by-name - the suspicious deaths it received from the Justice Center over the past three years. Three other counties gave just numbers, a total of 15 such deaths. The list from Suffolk's medical examiner's office contained no details, and the Justice Center refused to elaborate about individual cases, citing privacy laws that entitle only relatives to health records and abuse reports.

One of those families, located by the AP, plans to use those documents to sue the group home where a developmentally disabled woman lived before dying last year.

Carolyn Jirak, 62, spent nearly her entire life in state-funded care, classified as nonverbal with the intellectual capacity of a young child.

Her sister Catherine Jirak Monetti contends Jirak's death followed weeks of mistreatment, including an unexplained broken kneecap that was untreated for days, an ankle wound that became severely infected with cellulitis, and prescribed antibiotics that weren't given for three days. Jirak was eventually taken to a hospital with pneumonia and fever, and died 10 days later of respiratory failure. — AP



MINEOLA, NEW YORK: Sisters Patricia Ann Jirak, left, and Catherine Jirak Monetti, pose holding a photograph of their sister, Carolyn. — AP



CARACAS: A man is arrested during a protest against new emergency powers decreed this week by President Nicolas Maduro on Wednesday. — AFP

VENEZUELA OPPOSITION PRESSURES MADURO AFTER PROTESTS DEMANDING HIS OUSTER

CARACAS: Venezuela's opposition yesterday kept pressure on beleaguered President Nicolas Maduro after protests demanding his ouster amid a mounting political and economic crisis.

The opposition-controlled congress held a session to lambaste the leftwing leader, who has introduced a state of emergency he warned could be bolstered further if "violent" acts against his government occurred.

The opposition has rejected the decree and called on the army to swap sides to be "with the constitution." Its leader, Henrique Capriles, tweeted that Maduro "is considered void and nobody should respect him."

On Wednesday, around 1,000 protesters tried to march in Caracas to demand electoral authorities respect a petition calling for a recall referendum against Maduro, one of two dozen opposition rallies across the country. But they were blocked by hundreds of riot police firing tear gas. Some demonstrators threw rocks and bottles.

Maduro's United Socialist Party said seven police officers were hurt in the capital. Thirty people were arrested in the various protests across the country, according to the opposition and rights groups.

The confrontations exacerbated international concern over oil-dependent Venezuela, whose economy is being torn apart by a brutal recession, hyperinflation and food and electric power shortages.

US 'deeply troubled'

Former Spanish prime minister Jose Luis Rodriguez Zapatero was in Caracas trying to mediate some sort of detente

between Maduro and the opposition.

On Wednesday, the head of the Organization of American States, Luis Almagro, said Maduro was a "traitor" to his people and would be considered yet another "petty dictator" if he continued to reject the referendum.

The US State Department said it was "deeply troubled" by the situation in Venezuela. A spokesman said: "Reports of excessive use of force and violence against protesters obviously is troubling to us and of deep concern."

Senior US intelligence officials have already said they believe the South American nation is in "meltdown" and at risk from public revolt. A senior Vatican official, Paul Richard Gallagher, the Vatican's secretary for relations with states, scuttled plans to visit Venezuela next week amid the escalating unrest. Maduro has heaped blame for the tide of adversity on the "imperialist" United States, which he accuses of conspiring with Venezuela's "fascist" right to overthrow him.

To counter foreign "armed intervention" Maduro has ordered military exercises for Saturday. The accusation is the same Maduro's late predecessor, Hugo Chavez, often raised. But it appears Maduro has not convinced Venezuela's population, 70 percent of which wants to see a new government, according to recent polls. "The people no longer want revolution," said Migdalia Lopez, 51, lining up for bread in the town of Guarenas, east of the capital. "What they want is food."

Disputed petition

The president has vowed that the opposition referendum will never take

place. On Wednesday, he said that, if necessary, "I will not hesitate" to ratchet up the state of emergency "to fight for the peace and security of this country."

The extraordinary measures he has ordered came into effect this week for a period of 60 days. But they can be renewed and Maduro has said they probably will be, through next year. His order gives sweeping powers to the security forces to impose public order, and to help distribute food.

Even though the congress has rejected the decree, the Supreme Court, which is stacked with Maduro loyalists, is likely to confirm it. In that case, the opposition has called for the public to defy the state of emergency.

It has also accused the National Electoral Council (CNE) of stalling on validating the petition. Only 200,000 signatures were needed to bring in a referendum against Maduro, and the opposition says it garnered 1.8 million. But though the CNE received the petition more than two weeks ago, it has still not ruled on its validity.

Maduro and his vice president, Aristobulo Isturiz, claim the petition is riddled with fake signatures and there is no basis for a referendum. Instead, Isturiz has urged the opposition to sit back and contest the next presidential election due in December 2018. "If you win, Maduro will give up power. Easy. What's the problem?" he asked.

If the opposition manages to bring about a recall referendum, the vote must constitutionally be held before January 10, 2017 for it to trigger new elections. Any later than that, a successful recall vote would simply transfer power from Maduro to Isturiz. — AFP